IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.27 OF 2006

Smt.Sudha Amarnath Pandey Petitioner

Shri S.V.Gole for petitioner.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 19th April 2006

PC :

1. The minor born from the wedlock of the petitioner with Anantkumar Pande is entitled to the sum which is on account of pension payable to the minor as per letter dated 13th September 2004 (Exhibit-F).

2. The petitioner has clarified in the petition that she does not wish to be appointed as Guardian of the minor but of the person of minor so as to collect the sum of family pension for the minor. She has specifically stated that upon her remarriage, she has not been found entitled to the pension amount by the Central Railways who was the employer of the deceased. However, the

family pension is payable to the minor as per Railway Service Pension Rules and the Central Railways desire that the Guardian Certificate be produced. It is only for that purpose and upon an undertaking that the amount would be spent for welfare, maintenance and education of the minor so also in absence of any other claimant/heir of the minor, this petition is granted. It is accordingly made absolute in terms of prayer clause (a) and it is directed that the Central Railways should deposit the amount of pension with the Accounts Officer of this Court and the Accounts Officer to invest amount of pension in fixed deposit in a nationalised bank. Liberty is reserved to apply after the amount is so deposited. Affidavit of service is accepted.

(S.C.DHARMADHIKARI, J.)